

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA

Title III

No. 17-BK-4780-LTS

(Jointly Administered)

DEBTOR'S IDENTIFICATION OF EXPERT WITNESSES

The Financial Oversight and Management Board for Puerto Rico (the "Oversight Board"), as the sole Title III representative of the Puerto Rico Electric Power Authority ("PREPA" or the

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19- BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

“Debtor”), pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully submits its identification of expert witnesses (this “Expert Identification”) in accordance with paragraphs 3 and 24 of the *Amended and Restated Order Establishing, Among Other Things, Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* [ECF No. 3305] (the “Confirmation Procedures Order”) and Federal Rules of Civil Procedure 26(a)(2)(A) and 26(a)(2)(C).

1. The Debtor provides herein the identity of the following expert witness who may provide opinion testimony on behalf of the Debtor in support of confirmation of the *Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority* [ECF No. 3296] (as it may be amended, modified, or supplemented, the “Plan”), not including any rebuttal expert witnesses, pursuant to Federal Rule of Civil Procedure 26(a)(2)(B):

a. **Glenn R. George, MBA, PE, PhD, Partner, Bates White Economic Consulting.** Dr. George may provide testimony regarding (i) the methodology applied by the Oversight Board in determining the Legacy Charge incorporated in the Plan of Adjustment for the Puerto Rico Electric Power Authority (as it may be amended, modified, or supplemented, the “Plan”), (ii) the reasonableness of the Legacy Charge in balancing stakeholder interests and risks, and (iii) the consistency of the Legacy Charge and the methodology used to determine the Legacy Charge with principles of just and reasonable rates.

2. Further to the disclosure made in *Debtor’s Preliminary List of Witnesses to be Offered in Support of Confirmation of Plan of Adjustment* [ECF No. 3329], the following witnesses may provide testimony on behalf of the Debtor in support of confirmation of the Plan pursuant to

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

Federal Rule of Civil Procedure 26(a)(2)(C):³

- a. David Brownstein, Managing Director at Citigroup Global Markets Inc.
- b. Sheva Levy, Principal at Ernst & Young, LLP
- c. Juan Santambrogio, Managing Director at Ernst & Young, LLP
- d. Ojas Shah, Partner at McKinsey & Company
- e. Mark Shankweiler, Managing Director of Berkeley Research Group, LLC
- f. William P. Zarakas, Principal at Brattle Group Inc.

3. The Oversight Board reserves the right to amend this Expert Identification in accordance with the terms set forth in the Confirmation Procedures Order.

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³ In accordance with paragraph 25 of the Confirmation Procedures Order, and as stated by the Court at the April 5, 2023 hearing on discovery disputes (Hr'g. Tr. 55:10-20), the disclosures required for all witnesses designated under Federal Rule of Civil Procedure 26(a)(2)(C) shall be served on April 28, 2023.

Dated: April 14, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

Martin J. Bienenstock

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*Co-Attorney for the Financial Oversight and
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Debtor*

CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer